

Notice of Allowability

Application No.

10/037,107

Examiner

VAN H. NGUYEN

Applicant(s)

FROLUND ET AL.

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed 07/26/2007 and the telephonic interview on 10/29/2007.
2. ☒ The allowed claim(s) is/are 1-15, 18-23, and 26-28 (now renumbered as 1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This communication is responsive to the Appeal Brief filed 07/26/2007 and the telephonic interview on 10/29/2007.

Claims 1-15, 18-23, and 26-28 are pending in this application. By this Examiner's amendment, claims 1, 2, 4-6, 9-11, 14, 15, 19, and 20 have been amended.

2. **EXAMINER'S AMENDMENT:**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Dan C. Hu (Reg. No. 40, 025) on 10/29/2007.

The application has been amended as follows:

In the Claims:

All previous copies of claims 1, 2, 4-6, 9-11, 14, 15, 19, and 20 have been replaced with the following clean copy of claims 1, 2, 4-6, 9-11, 14, 15, 19, and 20 as amended by the Examiner's amendment:

Claim 1. A computer system comprising:

- an application;
- a sub-system for having an interaction with the application;
- an interceptor system including:
 - a proxy having an interaction with the application and
- including a customization control,
 - a customization module providing a customization and
- having an interaction with the proxy, and
 - a dispatcher having an interaction with the customization
- module and having an interaction with the sub-system;
 - a customization repository for containing the customization module;
 - a service having an interaction with the customization repository;
 - a client having an interaction with the service; and
- the customization control having an interaction with the customization repository and the service for causing customization of the service and the client by disposing the proxy of the interceptor system to interact with the application and the dispatcher of the interceptor system to interact with the sub-system,

the customization repository to store an additional customization module providing another customization, the customization control to add the additional customization module to the interceptor system while the application is running.

Claim 2. The computer system as claimed in claim 1 wherein:

the client has an interaction with the customization repository, the client responsive to the customization control through the service for causing customization of the service and the client by disposing the proxy of the interceptor system to interact with the application and the dispatcher of the interceptor system to interact with the sub-system.

Claim 4. The computer system as claimed in claim 1, wherein each of the customization modules has a different customization; and wherein:
the customization control is for controlling the interaction of the customization modules with the proxy.

Claim 5. The computer system as claimed in claim 1 including:
a plurality of sub-systems;
wherein each of the plurality of sub-systems has a different function; and
the customization control is for controlling the interaction of the plurality of sub-systems with the dispatcher.

Claim 6. The computer system as claimed in claim 1 wherein:

the service includes a customization deployment interface for interacting with the customization control to cause a group including the service and the client to obtain a customization.

Claim 9. A computer system comprising:

an application;

a sub-system for having an interaction with the application;

an interceptor system between the application and the sub-system

including:

a proxy having an interaction with the application and including a customization control,

a first customization module providing a first customization for a first non-functional property of the computer system and having an interaction with the proxy, and

a dispatcher having an interaction with the first customization module and having an interaction with the sub-system;

a customization repository for containing a second customization module providing a second customization for a second non-functional property,

the customization control to add the second customization module to the interceptor system while the application is running.

Claim 10. A computer system comprising:

- an application;
- a plurality of sub-systems for having an interaction with the application;
- an interceptor system including:
 - a proxy having an interaction with the application and including a customization control,
 - a plurality of customization modules providing customizations for a plurality of non-functional properties of the computer system and having an interaction with the proxy as controlled by the customization control, and
 - a dispatcher having a selectable interaction with the plurality of customization modules and having an interaction with the plurality of sub-systems;
 - a customization repository for containing the customization modules,
 - the customization control to install at least one of the customization modules to the interceptor system while the application is running.

Claim 11. A software system stored on at least a computer-usable storage medium for execution in a computer system, the software system comprising:

- an application;
- a sub-system to interact with the application; and
- an interceptor system between the application and sub-system, including:

a proxy to interact with the application and including a customization control;

a first customization module providing a first customization, the first customization module to interact with the proxy;

a dispatcher to interact with the customization module and with the sub-system; and

a second customization module providing a second customization, the second customization module to interact with the proxy and the dispatcher,

the customization control to enable addition of the second customization module to the interceptor system while the application is running.

Claim 14. The software system as claimed in claim 11 wherein:

the customization control is for controlling the interaction of the first and second customization modules with the proxy.

Claim 15. The software system as claimed in claim 11 including:

a plurality of sub-systems; and

the customization control is for controlling the interaction of the plurality of sub-systems with the dispatcher connected to a group including the application, the proxy, and the dispatcher.

Claim 19. A software system stored on at least a computer-usable storage medium for execution in a computer system, the software system comprising:

- an application;
- a sub-system for having an interaction with the application; and
- an interceptor system including:
 - a proxy having an interaction with the application and including a customization control;
 - a customization module to perform a non-functional operation of the software system and having an interaction with the proxy, the non-functional operation comprising a failover operation,
 - the customization control to control interaction of the customization module with the proxy; and
 - a dispatcher having an interaction with the customization module and having an interaction with the sub-system,

wherein the customization control adds another customization module to the interceptor system while the application is running, the another customization module to perform an additional non-functional operation.

Claim 20. A software system stored on at least a computer-usable storage for execution in a computer system, the software system comprising:

- an application;

a plurality of sub-systems for having an interaction with the application;
and
an interceptor system including:
a proxy having an interaction with the application and including a customization control;
a plurality of customization modules providing customizations for a plurality of non-functional properties of the software system and having an interaction with the proxy, the non-functional properties comprising at least failure masking and performance measurement;
a dispatcher having a selectable interaction with the plurality of customization modules and having an interaction with the plurality of sub-systems; and
the customization control to add at least one of the customization modules to the interceptor system while the application is running.

3. **REASONS FOR ALLOWANCE:**

Claims 1-15, 18-23, and 26-28 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not expressly teach or render obvious the invention as recited in independent claims 1, 9-11, 19, and 20.

The features as recited in independent claims 1, 9-11, 19, and 20 *“a proxy having an interaction with the application and including a customization control and the customization control to add at least one of the customization modules to the interceptor system while the application is running”*, when taken in the context of the claims as a whole, was not uncovered in the prior art teachings.

Dependent claims are allowed as they depend upon allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2194

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Van H. Nguyen", with a large, sweeping flourish at the end.

VAN H. NGUYEN
PRIMARY EXAMINER